IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

Crl.Rev.Pet.No. 4464 of 2007()

CRL.A. NO. 604/2006 of ADDL. SESSIONS FAST TRACK COURT II, ALAPPUZHA.
C.C. NO. 471/2005 of JUDICIAL FIRST CLASS MAGISTRATE-II, CHERTHALA.

REVN. PETITIONER:

RAJENDRA PRASAD, AGED 45, S/O. KRISHNANKUTTY NAIR,
SREERAJ NIVAS, KADAMATTU VELIYIL,
CHERAMANGALAM, KANJIKUZHY, ALAPPUZHA.

BY ADV. SRI.S.UNNIKRISHNAN

RESPONDENTS:
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1. RAJI, CHAKKALAVIL HOUSE,
   PONNADU P.O., ALAPPUZHA.

2. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.JOHN JUDE ISSAC
SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4464 of 2007

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Dated this the 13th day of December, 2007

ORDER

The accused in C.C.No. 471 of 2005 on the file of the Judicial First Class Magistrate-II, Cherthala for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13213 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

rv

V. RAMKUMAR, J.

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Crl.R.P. No.

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Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision

petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

rv